

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JANINE WOOD,)
Individually and as parent and natural)
guardian of her minor child, H.W., **JACKIE**)
WEBBER, Parent and natural guardian of)
her minor child, J.M., **RYAN WALSH** and)
LISA MAZZONI, Individually and as)
parent and natural guardian of her)
minor son, J.C.,)
)
Plaintiffs,)

v.)

2:20cv1029

Electronic Filing

PALACE ENTERTAINMENT)
d/b/a KENNYWOOD PARK)
agent of KENNYWOOD PARK,)
SANDCASTLE WATERPARK)
and **IDLEWILD AND SOAKZONE**)
)
Defendants.)

ORDER OF COURT

AND NOW, this 12th day of July, 2021, upon consideration of the Motion to Dismiss for Failure to State a Claim (ECF No. 4) filed on behalf of Defendants, and Plaintiffs' response thereto,

IT IS HEREBY ORDERED that, at this point in the litigation, the motion is **DENIED** without prejudice to raise such issues at the summary judgment phase of the case. Defendants shall answer the Complaint within twenty-One (21) days of this Order.

s/ DAVID STEWART CERCONI
David Stewart Cercone
Senior United States District Judge

cc: Thomas B. Anderson, Esquire
Paul M. Thompson, Esquire
Kerry A. Scanlon, Esquire
Jeremy M. White, Esquire

(Via CM/ECF Electronic Mail)